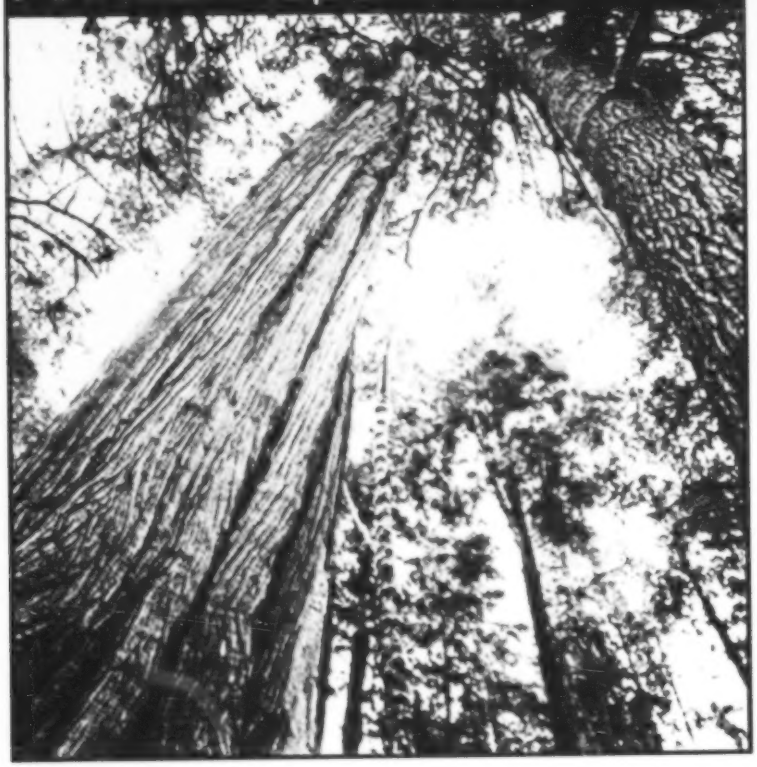
Ministry of Forests • Compliance & Enforcement Program

Annual Report 2003-04



105-06239/

Library and Archives Canada Cataloguing in Publication Data
British Columbia. Ministry of Forests. Compliance & Enforcement Branch.
Annual report [electronic resource]. -- 2000/2001-

Annual.
Title from title screen.
Running title: Compliance & Enforcement Statistics.
Issued on the Internet.
Report year ends March 31.
Continues: British Columbia. Ministry of Forests. Compliance & Enforcement Branch. The annual report of compliance and enforcement statistics for the Forest Practices Code.
ISSN 1712-3917 = Annual report (British Columbia. Ministry of Forests. Compliance & Enforcement Branch)

1. Forest practices code of British Columbia - Periodicals. 2. Forestry law and legislation - British Columbia - Periodicals. 3. Forest policy - British Columbia - Periodicals. 4. Forest management - British Columbia - Periodicals. I. Title. II. Title: Compliance & enforcement statistics.

SD568.B7B74 354.5'528'09711 C2004-960143-1

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introduction

This is the ninth annual report of compliance and enforcement activities conducted by the British Columbia Ministry of Forests. This report contains information on compliance and enforcement of the Forest Practices Code of British Columbia Act (the Code) and its regulations, and the new Forest & Range Practices Act (FRPA) and its regulations. The Code came into effect on June 15, 1995, and will eventually be replaced by the FRPA, which came into effect on January 31, 2004.

This report provides statistics of compliance and enforcement activities recorded by the Ministry from April 1, 2003 to March 31, 2004, and provides a follow-up to annual reports previously published.

The report covers compliance and enforcement activities with respect to forest practices carried out by major licencees, community forest licencees, timber sale licencees, woodlot licencees and mining, petroleum and natural gas companies holding licences to cut.

Electronic copies of this report are available from the Ministry of Forests, Compliance and Enforcement Branch, or by accessing the government Internet page:

http://www.for.gov.bc.ca/enforce/index.htm

If there are discrepancies between the printed copy of the annual report and the copy on the website, the posted copy of the annual report on the website is considered correct.

statistical summary

Most of the statistics contained in this report were generated from two information systems managed by the Ministry of Forests. The Enforcement Action, Administrative Review and Appeal Tracking System (ERA) serves as the Ministry's record of enforcement activities; ERA documents cases that arise from alleged contraventions of the acts and regulations enforced by the Ministry, including the issuance of tickets, enforcement actions taken, and cases that are appealed. The Compliance Information Management System (CIMS) serves as the Ministry's record of inspection activities and compliance actions.

key statistics

Key statistics from April 1, 2003 to March 31, 2004 are:

- 16,540 Inspections were completed
- 332 Enforcement Actions were taken
- 21 Stop Work Orders were issued
- 1,986 Compliance Actions were taken

violation tickets and administrative penalties

The total monetary value of penalties and violation tickets issued under the Code and the FRPA during the reporting period is:

Violation tickets issued	95
Monetary amount of tickets	$23,254
Administrative penalties levied	102
Monetary amount of penalties	$508,524

administrative reviews

During the reporting period, there were 19 requests for administrative reviews of enforcement decisions made under the Code and FRPA. A total of 10 review decisions were released during the reporting period:

- 5 confirmed the original decision being appealed
- 1 rescinded, overturning the original decision
- 4 varied, meaning that the review panel changed the original decision

For information on appeals filed with the Forest Appeals Commission, see: http://www.fac.gov.bc.ca

prosecutions

Alleged offences under the Code resulted in provincial court cases. In 2003, the British Columbia Attorney General successfully prosecuted three cases, one of which resulted in a fine, one of which resulted in a probation order, and one of which resulted in a jail sentence.

commonly asked questions

what are inspections?

Inspections are an examination of activities or practices, and are used to determine whether the forest practices are carried out in compliance with statutory requirements. Inspections cover the obligations of both the licencees and the government.

what does a contravention mean?

A contravention is where an individual or company who has an obligation under the law has been determined or found to have acted in such a manner as to have violated the law.

The violation or infraction of the law is punishable by an enforcement action (such as a monetary penalty or fine) with the penalty, fine or imprisonment not exceeding a specified amount or time period.

what are compliance actions?

Compliance actions are used when an official has reasonable grounds to believe a contravention has occurred, or may be about to occur, but in situations where enforcement actions are not warranted. Compliance actions include warning tickets and compliance notices.

what is a stop work order?

Stop Work Orders are used by an official to stop a forest practice that the official believes is in contravention.

what are enforcement actions?

Enforcement actions are used when an official determines that legislation requirements have been contravened and a formal sanction is warranted. Enforcement actions include violation tickets, monetary penalties, remediation orders, licence suspension, licence cancellation, timber sale disqualification and orders to vacate.

Parties subject to enforcement actions have an avenue to appeal the action.

what does it mean if a licensee is given a monetary penalty?

Monetary penalties are one of the administrative remedies available under the Code and the FRPA. The fact that a licensee has been assessed a monetary penalty means that a senior government official has determined that the licensee has failed to meet a statutory requirement, and that the defences available to licencees (due diligence, officially induced error and mistake of fact) do not apply.

Monetary penalties should not be confused with fines that can be imposed by a Court if a licensee is prosecuted and convicted for an offence.

when are prosecutions recommended?

Prosecutions may be recommended where investigations identify the person(s) responsible:

- for unauthorized harvest;
- for theft;
- for other contravention(s) of the Code or the FRPA;
- is willful or reckless;
- is a repeat offender; or
- has caused significant damage.

Prosecutions are recommended when it is in the public interest to prosecute, and when there is a reasonable chance of the prosecution resulting in a conviction.

The final decision as to whether or not to prosecute lays solely with Crown Counsel (the Ministry of Attorney General).

what is a violation ticket?

A violation ticket is a form of prosecution. Tickets carry set fines for specified offences, and once a ticket has been issued, no other form of prosecution for the offence for which the ticket was issued can occur.

Due diligence and officially induced error are defences for violation tickets.

what are the unauthorized harvest statistics?

From April 1, 2003 to March 31, 2004, penalties for unauthorized harvesting ranged up to $65,897, and totaled $391,740.

During the same period, there were 39 Violation Tickets issued by the Ministry of Forests for various incidents of unauthorized harvesting, with fines totaling $6,747.

what is government non-compliance?

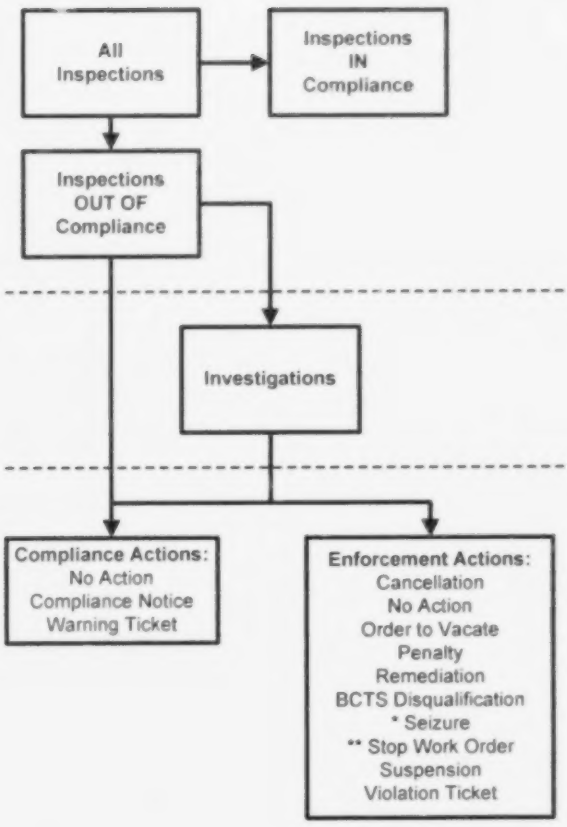
Government non-compliance means that the provincial government has not complied with a requirement of the Code or the FRPA. For example, under the BC Timber Sales Program, Ministry staff have statutory obligations for planning and silviculture, similar to the obligations of major licencees. It is Ministry policy that incidents of significant government non-compliance are reported in this annual report.

Significant government non-compliance is any non-compliance that is not trivial or inconsequential in nature.

compliance & enforcement statistics

overview of the process leading to compliance and enforcement actions

The chart below illustrates the process from inspections to compliance and enforcement actions.



Inspections are conducted to determine compliance with the Code or FRPA. Where an inspection identifies a problem, it may be dealt with in the field through a compliance action, or may require further investigation. Inspections may identify one or more potential contraventions of the Code or FRPA.

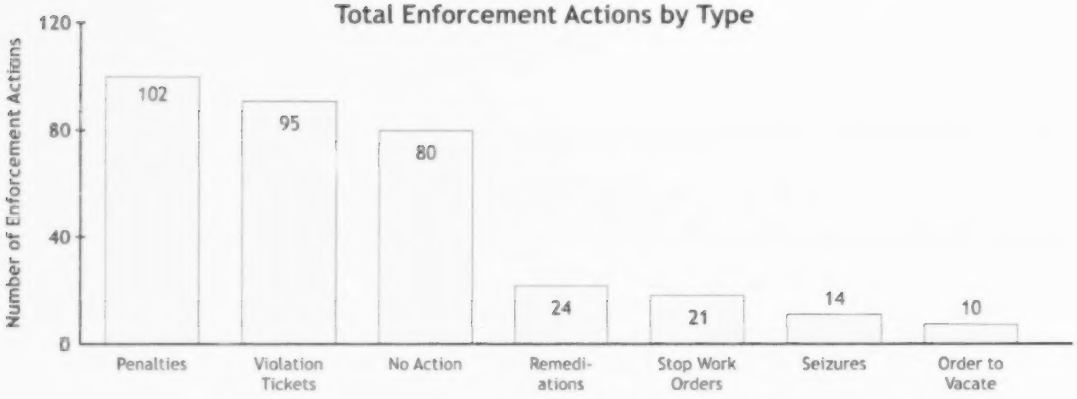
Investigations generally result from potential Code or FRPA contraventions identified through inspections. In some cases, investigations may result from other causes, such as public tips about alleged non-compliance.

Contraventions can be addressed either through compliance actions or enforcement actions. One contravention may result in more than one action being taken; alternately, several contraventions may be addressed through a single action.

* Seizures are not necessarily findings of contravention.
** Stop Work Orders are not formal findings of contravention.

program statistics

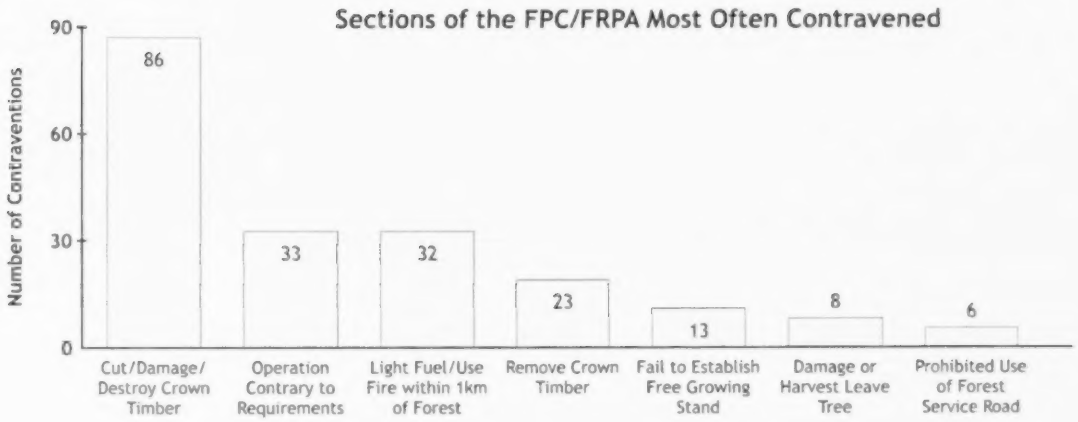
Total Enforcement Actions by Type



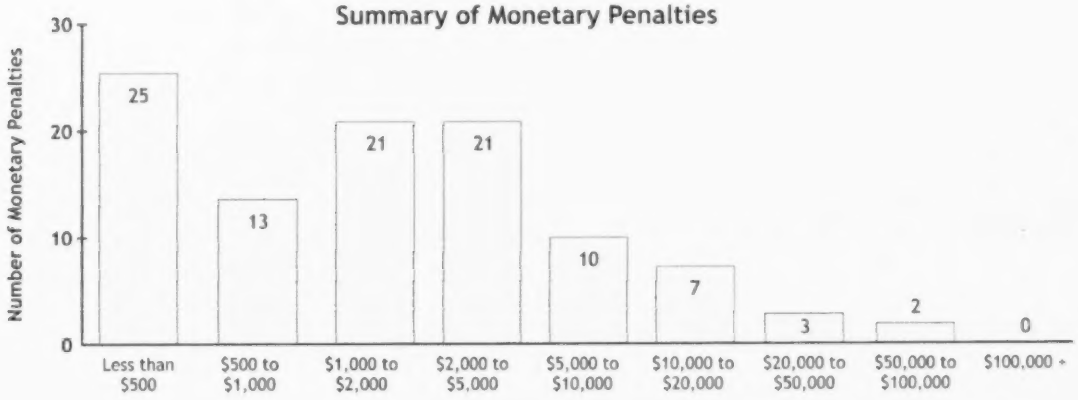
This graph shows the frequency of enforcement actions taken to address contraventions. Not included in this graph are Licence Cancellations, Licence Suspensions and BC Timber Sales Disqualifications, as there were none this reporting period. Stop Work Orders are not considered formal findings of contravention. Seizures are not necessarily considered findings of contravention.

Total Compliance Actions by Type

This graph shows the number of compliance actions taken to address alleged contraventions.



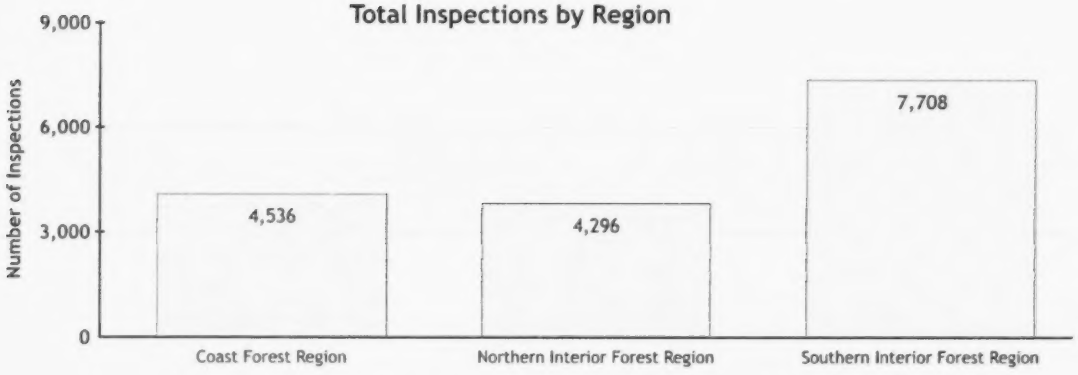
This graph shows the sections of the Code and the FRPA most often contravened.



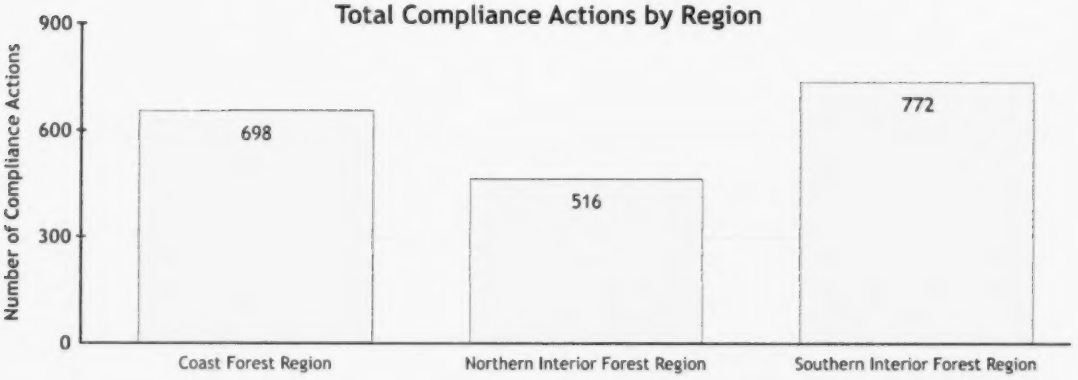
This graph shows the number and range of monetary penalties that have been levied under the Code and the FRPA.

compliance & enforcement statistics by region

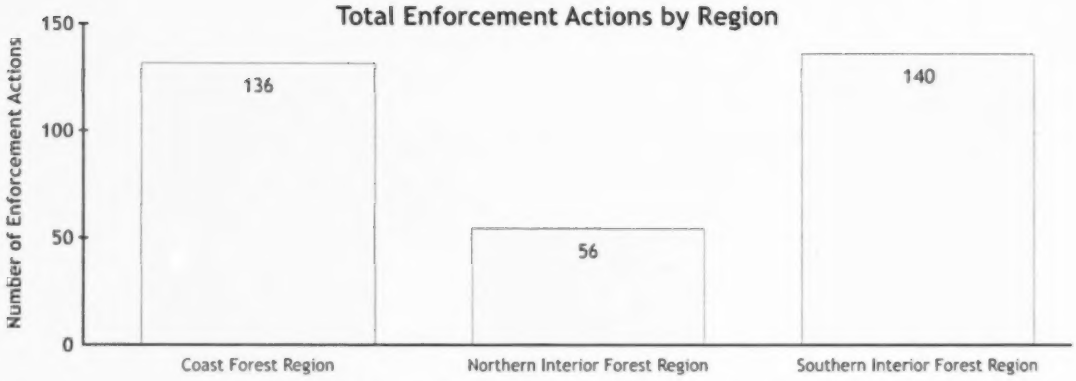
The province is divided into three administrative units called forest regions, each of which is further sub-divided into forest districts. See Appendix 4 for a list of regions and districts, and Appendix 5 for a map of regional and district boundaries.



This graph shows, by Ministry of Forests region, the number of inspections conducted by Compliance & Enforcement staff.



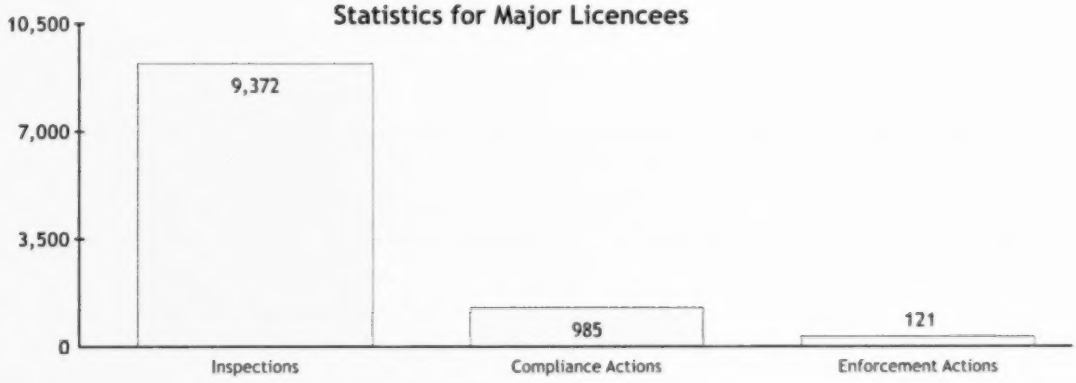
This graph shows, by Ministry of Forests region, the number of compliance actions taken to address alleged contraventions.



The graph shows, by Ministry of Forests region, the number of enforcement actions taken against contraventions.

compliance & enforcement statistics by tenure type

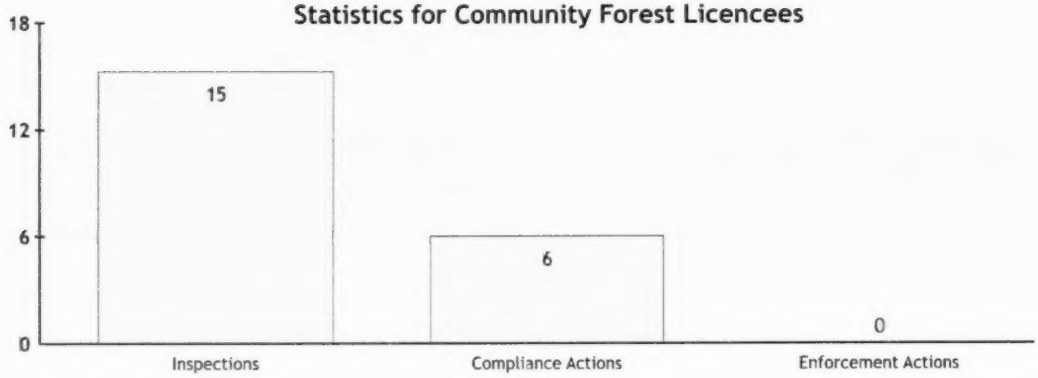
These tables show, by tenure type, the number of inspections completed by Compliance and Enforcement staff, and the number of enforcement actions, and compliance actions taken.



Volume Billed: 50,788,896 m3

- Tree Farm Licences
- Timber Licences
- Forest Licences
- Pulpwood Agreements
- Major Timber Sale Licences

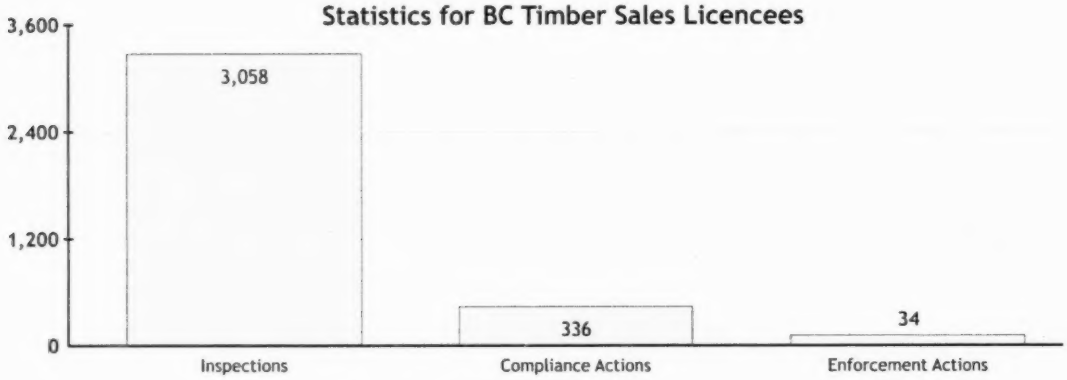
Statistics for Community Forest Licencees



Volume Billed: 271,200 m3

- Community Forest Licences

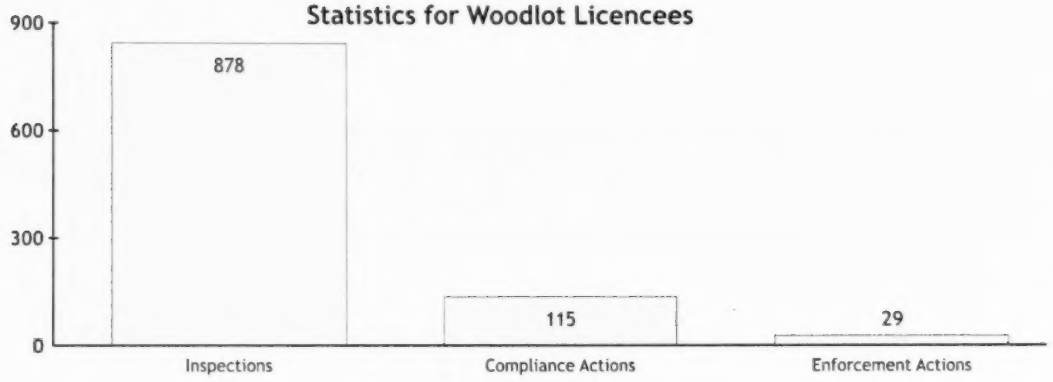
Statistics for BC Timber Sales Licencees



Volume Billed: 7,786,422 m3

- Competitive Timber Sale Licences
- Value-added Timber Sale Licences
- Direct award Timber Sale Licences
- Roads associated with BCTS Licences

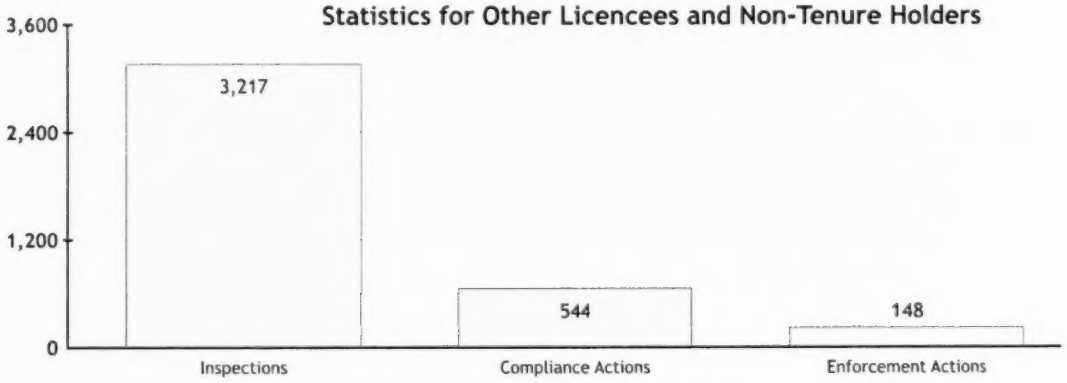
Statistics for Woodlot Licencees



Volume Billed: 3,298,436 m3

- Woodlot Licences
- Roads associated with Woodlot Licences

Statistics for Other Licencees and Non-Tenure Holders

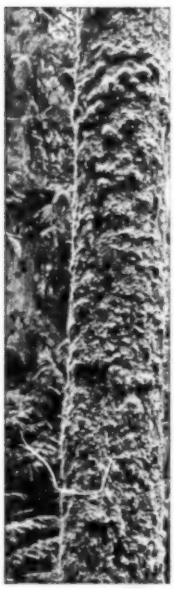


Volume Billed: 1,275,460 m3

- Licences to Cut
- Special Use Permits
- Free Use Permits
- Christmas Tree Permits
- Private Lands
- Grazing Permit/Licence
- Road Use Permit
- Log Salvage
- Non-Tenure Holders

Appendix 1

enforcement actions against major licencees



This appendix lists enforcement actions that occurred within the reporting period, regardless of when the actual contravention occurred.

Shown in alphabetical order are forest tenure holders with major licences (or that recently held major licences) that billed volumes of more than 5,000 cubic metres annually. The header lists the licensee, the volume (in cubic metres) of Crown timber billed by the licensee and the number of compliance inspections conducted by Compliance and Enforcement staff.

Under each header is a listing of enforcement actions as determined by a senior official or as determined by an official through the issuance of a violation ticket.

Note that a portion of a licensee's volume may have been harvested by a separate company or contractor; the following listings do not include enforcement actions which might have been carried out against the activities of a separate company.

Enforcement actions include violation tickets, monetary penalties, remediation orders, licence suspension, licence cancellation, BCTS disqualification and orders to vacate. Stop work orders are enforcement actions that are not formal findings of contravention.

major licencees with one or more enforcement actions

606546 British Columbia Ltd. — Volume: 0 m3 — Inspections: 28

ERA Case No	Incident Date	Contravention	Description	Determination
DCK-2001-0068	5/31/1999	FPC 70 (4)(E)	Fail to Estab Free Growing Stand in Presc Time	Remediation
DCK-2001-0068	7/31/2000	SILV 28 (1)	Fail to Submit Annual Silv. Report	No Action
DCK-2001-0069	7/31/2000	SILV 28 (1)	Fail to Submit Annual Silv. Report	Penalty
DCK-2001-0069	4/30/1999	FPC 70 (4)(E)	Fail to Estab Free Growing Stand in Presc Time	Penalty
DCK-2001-0069	7/31/2000	SILV 28 (1)	Fail to Submit Annual Silv. Report	Remediation
DCK-2001-0069	4/30/1999	FPC 36 (2)(A)	Fail to Amend Silv. Prescription where Required	Penalty
DCK-2003-0043	3/1/2001	SILV 28 (1)	Fail to Submit Annual Silv. Report	Remediation
DCK-2003-0043	3/1/2001	SILV 23 (1)(C)	Fail to Undertake Free Growing Survey	Remediation
DCK-2003-0043	3/1/2001	SILV 28 (1)	Fail to Submit Annual Silv. Report	Penalty
DCK-2003-0043	3/1/2001	SILV 23 (1)(C)	Fail to Undertake Free Growing Survey	Penalty
DCK-2003-0044	3/1/2002	FPC 70 (4)(E)	Fail to Estab Free Growing Stand in Presc Time	Penalty
DCK-2003-0044	3/1/2002	SILV 23 (1)(C)	Fail to Undertake Free Growing Survey	Penalty
DCK-2003-0044	3/1/2002	SILV 28 (1)	Fail to Submit Annual Silv. Report	Penalty
DCK-2003-0044	3/1/2002	SILV 23 (1)(C)	Fail to Undertake Free Growing Survey	Remediation
DCK-2003-0044	3/1/2002	FPC 70 (4)(E)	Fail to Estab Free Growing Stand in Presc Time	Remediation

Ainsworth Lumber Company Ltd. — Volume: 256,581 m3 — Inspections: 93

ERA Case No	Incident Date	Contravention	Description	Determination
DLI-2003-0010	12/21/2002	FPC 96 (1)	Cut/Damage/Destroy Crown Timber	Violation Ticket

Atco Lumber Ltd. — Volume: 197,131 m3 — Inspections: 121

ERA Case No	Incident Date	Contravention	Description	Determination
DAR-2003-0014	6/6/1998	SILV 2 (3)	Exceed the Transfer Limit	Remediation

Bell Pole Company — Volume: 106,185 m3 — Inspections: 47

ERA Case No	Incident Date	Contravention	Description	Determination
DAR-2004-0001	10/7/2002	FPC 70 (4)(D)	Fail to Meet Stocking Requirements	Remediation

Canadian Forest Products Ltd. — Volume: 7,431,231 m3 — Inspections: 847

ERA Case No	Incident Date	Contravention	Description	Determination
DCK-2003-0017	5/30/2000	TIM 10 (3)	Unauthorized Harvest in Riparian Reserve Zone	Penalty
DCK-2003-0017	5/30/2002	FPC 96 (1)	Cut/Damage/Destroy Crown Timber	Penalty
DCK-2003-0017	5/30/2002	FPC 96 (2)	Remove Crown Timber	No Action

Canema Timber Ltd. — Volume: 0 m3 — Inspections: 0

ERA Case No	Incident Date	Contravention	Description	Determination
DSS-21998	2/28/2003	FPC 70 (4)(E)	Fail to Estab Free Growing Stand in Presc Time	No Action

Federated Co-Operatives Ltd. — Volume: 229,150 m3 — Inspections: 80

ERA Case No	Incident Date	Contravention	Description	Determination
DSA-2001-0071	5/22/1996	FPC 70 (4)(C)	Improper Use of Seed and Seedlings	No Action
DSA-2001-0071	5/22/1996	FPC 67 (1)	Operation Contrary to Requirements	No Action
DSA-2001-0071	5/22/1996	SILV 2 (3)	Exceed the Transfer Limit	No Action

Granet Lake Logging Ltd. — Volume: 19,867 m3 — Inspections: 15

ERA Case No	Incident Date	Contravention	Description	Determination
DSC-2004-0001	3/15/2003	FPC 67 (1)	Operation Contrary to Requirements	Penalty
DSC-2004-0001	3/15/2003	FPC 96 (1)	Cut/Damage/Destroy Crown Timber	No Action

Iisaak Forest Resources Ltd. — Volume: 29,934 m3 — Inspections: 20

ERA Case No	Incident Date	Contravention	Description	Determination
DSI-22381	11/5/2003	FPC 96 (1)	Cut/Damage/Destroy Crown Timber	Violation Ticket
Stop Work Orders (does not constitute a finding of contravention)				
DSI-22378	10/11/2003	FPC 67	Operation Contrary to Regulations	Stop Work Order
DSI-22378	10/11/2003	FPC 96 (1)	Cut/Damage/Destroy Crown Timber	Stop Work Order

International Forest Products — Volume: 1,844,532 m3 — Inspections: 747

ERA Case No	Incident Date	Contravention	Description	Determination
DCK-2003-0035	8/6/2002	FPC 96 (2)	Remove Crown Timber	Penalty
DCK-2003-0035	8/6/2002	FPC 96 (1)	Cut/Damage/Destroy Crown Timber	Penalty
DIC-22541	1/8/2001	FPC 62 (1)	Construct/Modify Road not to Requirements	Violation Ticket
DSC-22589	11/20/2003	FPC 96 (1)	Cut/Damage/Destroy Crown Timber	Violation Ticket
DSI-2000-0013	3/18/1999	FPC 67 (1)	Operation Contrary to Requirements	No Action
DSI-2000-0014	3/18/1999	FPC 67 (1)	Operation Contrary to Requirements	No Action
DSI-2000-0015	3/18/1999	FPC 67 (1)	Operation Contrary to Requirements	No Action
DSI-2000-0016	3/18/1999	FPC 67 (1)	Operation Contrary to Requirements	No Action
DSI-2000-0017	3/18/1999	FPC 67 (1)	Operation Contrary to Requirements	No Action
DSI-2000-0018	3/18/1999	FPC 67 (1)	Operation Contrary to Requirements	No Action
DSI-2000-0019	3/18/1999	FPC 67 (1)	Operation Contrary to Requirements	No Action
DSQ-2001-0025	7/1/2000	FPC 67 (1)	Operation Contrary to Requirements	Penalty
DSQ-2001-0027	11/16/2000	FPC 67 (1)	Operation Contrary to Requirements	Penalty

J.H. Huscroft Ltd. Volume: 62,363 m3 Inspections: 38

ERA Case No	Incident Date	Contravention	Description	Determination
DKL-22134	7/1/2002	RDS 13 (1)(C)	Fail to Ensure Drainage System Function	Penalty
DKL-22134	6/10/2003	FPC 64 (1)	Fail to Deactivate Road to Requirements	Penalty

Joe Kozek Sawmills Ltd. Volume: 25,569 m3 Inspections: 18

ERA Case No	Incident Date	Contravention	Description	Determination
DCO-22154	9/18/2003	FPC 96 (2)	Remove Crown Timber	Violation Ticket

Kalesnikoff Lumber Company Ltd. Volume: 76,481 m3 Inspections: 53

ERA Case No	Incident Date	Contravention	Description	Determination
DAR-2002-0032	12/31/1998	FPC 70 (4)(E)	Fail to Estab Free Growing Stand in Presc Time	Remediation
DAR-2002-0033	10/31/1998	FPC 70 (4)(E)	Fail to Estab Free Growing Stand in Presc Time	Remediation
DAR-2002-0034	5/31/2001	FPC 70 (4)(E)	Fail to Estab Free Growing Stand in Presc Time	Remediation
DAR-2002-0036	12/31/1998	FPC 70 (4)(E)	Fail to Estab Free Growing Stand in Presc Time	Remediation
DKL-2003-0001	4/13/2002	FPC 45 (3)	Fail to Stop Practice to Avoid Env. Damage	No Action
DKL-2003-0001	4/13/2002	FPC 45 (3)	Fail to Stop Practice to Avoid Env. Damage	No Action
* DKL-2003-0003	5/3/2002	RDS 12 (1)(B)	Subgrade Construction not to Requirements	Penalty
* DKL-2003-0015	7/8/2002	FPC 45 (3)	Fail to Stop Practice to Avoid Env. Damage	Penalty
* DKL-2003-0015	7/8/2002	RDS 13 (1)(C)	Fail to Ensure Drainage System Function	Penalty

* As of September 31, 2004, these contraventions are currently under appeal

L&M Lumber Ltd. Volume: 255,843 m3 Inspections: 35

ERA Case No	Incident Date	Contravention	Description	Determination
* DVA-2003-0002	2/1/2002	FPC 67 (2)(D)	Damage or Harvest Leave Tree	Penalty
* DVA-2004-0009	12/17/2002	FPC 96 (1)	Cut/Damage/Destroy Crown Timber	Penalty

* As of September 31, 2004, these contraventions are currently under appeal

MacMillan Bloedel Ltd. Volume: 0 m3 Inspections: 0

ERA Case No	Incident Date	Contravention	Description	Determination
DQC-1999-0063	9/25/1998	TIM 21 (1)	Unauthorized Temporary Stream Crossing	No Action
DQC-1999-0063	9/25/1998	TIM 21 (1)	Unauthorized Temporary Stream Crossing	No Action

New Skeena Forest Products Inc. Volume: 122,929 m3 Inspections: 106

ERA Case No	Incident Date	Contravention	Description	Determination
DKI-2003-0012	1/31/2001	FPC 70 (4)(H)	Fail to Carry Out Proper Survey	No Action
DKI-2003-0012	1/31/2001	SILV 23 (1)(C)	Fail to Undertake Free Growing Survey	No Action
DKI-2003-0012	1/31/2001	FPC 70 (4)(E)	Fail to Estab Free Growing Stand in Presc Time	Penalty
DKI-2003-0012	1/31/2003	FPC 36 (2)(A)	Fail to Amend Silv. Prescription where Required	Remediation

Plateau Forest Products Ltd. — Volume: 783,531 m3 — Inspections: 116

ERA Case No	Incident Date	Contravention	Description	Determination
DVA-2000-0015	8/5/1999	RDS 13 (1)(H)(II)	Fail to Ensure Safe Fish Passage	Penalty
DVA-2000-0015	8/10/1999	RDS 13 (1)(H)(I)	Construct Crossing outside Fishery Window	Penalty

Pope & Talbot Ltd. — Volume: 1,135,797 m3 — Inspections: 270

ERA Case No	Incident Date	Contravention	Description	Determination
DAR-2003-0015	10/1/1999	FPC 70 (3)	Fail to Establish Free Growing Stand	No Action
DAR-2003-0015	10/1/1999	FPC 70 (4)(E)	Fail to Estab Free Growing Stand in Presc Time	No Action

Riverside Forest Products Ltd. — Volume: 3,000,698 m3 — Inspections: 509

ERA Case No	Incident Date	Contravention	Description	Determination
DCH-2003-0001	12/14/1998	FPC 64 (5)	Deactivate Road w/o Approval	Penalty
DOS-2004-0006	5/28/2003	FPC 96 (1)	Cut/Damage/Destroy Crown Timber	Violation Ticket
DVE-2003-0019	4/2/2002	FPC 70 (3)	Fail to Establish Free Growing Stand	No Action
DVE-2003-0027	9/26/2002	FPC 70 (3)	Fail to Establish Free Growing Stand	No Action

Slocan Forest Products Ltd. — Volume: 3,437,493 m3 — Inspections: 391

ERA Case No	Incident Date	Contravention	Description	Determination
DCL-2003-0002	1/7/2002	SILV 8 (4)	Exceed Seed/Material Transfer Limit	Remediation
DCL-2003-0003	5/31/1996	SILV 2 (3)	Exceed the Transfer Limit	Remediation
DCL-2003-0004	5/31/1997	SILV 2 (3)	Exceed the Transfer Limit	Remediation
DCL-2003-0005	6/30/1997	SILV 2 (3)	Exceed the Transfer Limit	Remediation
DCL-2001-0007	7/19/2000	FPC 96 (1)	Cut/Damage/Destroy Crown Timber	Penalty
DIN-2004-0001	6/18/1998	SILV 8 (4)	Exceed Seed/Material Transfer Limit	No Action

Southern Nlaka'Pamux Forest — Volume: 0 m3 — Inspections: 0

ERA Case No	Incident Date	Contravention	Description	Determination
DCK-2001-0094	10/3/2000	FPC 67 (1)	Operation Contrary to Requirements	Penalty
DCK-2001-0094	10/3/2000	FPC 67 (2)(D)	Damage or Harvest Leave Tree	No Action
DCK-2001-0094	10/3/2000	FPC 96 (1)	Cut/Damage/Destroy Crown Timber	Penalty
DCK-2001-0094	10/3/2000	FPC 96 (2)	Remove Crown Timber	Penalty
DCK-2001-0095	10/12/2000	FPC 62 (1)	Construct/Modify Road not to Requirements	Penalty
DCK-2001-0095	10/12/2000	FPC 67 (2)(D)	Damage or Harvest Leave Tree	No Action
DCK-2001-0095	10/12/2000	FPC 67 (1)	Operation Contrary to Requirements	Penalty
DCK-2001-0095	10/12/2000	FPC 96 (1)	Cut/Damage/Destroy Crown Timber	Penalty
DCK-2001-0095	10/12/2000	FPC 96 (2)	Remove Crown Timber	Penalty
DCK-2001-0095	10/12/2000	RDS 12 (1)(B)	Subgrade Construction not to Requirements	No Action
DCK-2001-0096	10/3/2000	FPC 67 (1)	Operation Contrary to Requirements	Penalty
DCK-2001-0096	10/3/2000	FPC 68 (1)	Unauthorized Excavated/Bladed Trail	Penalty

Stuart Lake Lumber Company Ltd. Volume: 235,118 m3 Inspections: 52

ERA Case No	Incident Date	Contravention	Description	Determination
DJA-2003-0013	2/25/2003	FPC 96 (1)	Cut/Damage/Destroy Crown Timber	Remediation

Tackama Forest Products Ltd. Volume: 297,309 m3 Inspections: 120

ERA Case No	Incident Date	Contravention	Description	Determination
DFN-2001-0003	1/24/2000	FPC 70 (4)(E)	Fail to Estab Free Growing Stand in Presc Time	Penalty
DFN-2001-0003	1/24/2000	FPC 70 (4)(E)	Fail to Estab Free Growing Stand in Presc Time	Remediation
DFN-2001-0003	1/24/2000	FPC 70 (4)(D)	Fail to Meet Stocking Requirements	Penalty

Takla Development Corporation Volume: 24,969 m3 Inspections: 42

ERA Case No	Incident Date	Contravention	Description	Determination
DJA-2003-0001	3/15/2002	FPC 67 (1)	Operation Contrary to Requirements	Remediation
DJA-2003-0001	3/15/2002	FPC 67 (1)	Operation Contrary to Requirements	Penalty
DJA-2003-0001	3/15/2002	TIM 11 (1)	Yard or Skid in/over Stream w/o Authority	Penalty
DJA-2003-0001	3/15/2002	TIM 24 (1)	Track <5m from Stream Bank	Penalty
DJA-2003-0001	3/15/2002	TIM 21 (1)	Unauthorized Temporary Stream Crossing	Penalty

Tembec Industries Inc. Volume: 1,391,219 m3 Inspections: 295

ERA Case No	Incident Date	Contravention	Description	Determination
DCB-2004-0002	6/18/1998	SILV 8 (4)	Exceed Seed/Material Transfer Limit	No Action
DIN-2004-0002	6/18/1998	SILV 8 (4)	Exceed Seed/Material Transfer Limit	No Action
DIN-2004-0003	6/18/1998	SILV 8 (4)	Exceed Seed/Material Transfer Limit	No Action

TFL Forest Ltd. Volume: 2,187,247 m3 Inspections: 227

ERA Case No	Incident Date	Contravention	Description	Determination
DSI-2000-0101	4/6/1999	FPC 96 (1)	Cut/Damage/Destroy Crown Timber	Penalty
DSI-2000-0101	11/23/1999	FPC 67 (1)	Operation Contrary to Requirements	No Action

Tolsons Enterprises Ltd. Volume: 0 m3 Inspections: 1

ERA Case No	Incident Date	Contravention	Description	Determination
DCK-2001-0083	10/24/2000	FPC 35 (1)(A)	Fail to Amend Operational Plan where Required	Penalty
DCK-2001-0083	10/24/2000	FPC 67 (1)	Operation Contrary to Requirements	Penalty
DCK-2001-0083	10/24/2000	FPC 96 (2)	Remove Crown Timber	No Action
DCK-2001-0083	10/24/2000	FPC 96 (1)	Cut/Damage/Destroy Crown Timber	Penalty

Tsilhqot'In Forest Products Inc.			Volume: 0 m3	Inspections: 1
ERA Case No	**Incident Date**	**Contravention**	**Description**	**Determination**
DCH-2002-0001	2/22/2001	FPC 58 (2)	Unauthorized Road Construction/Modification	No Action
DCH-2002-0001	2/21/2001	FPC 96 (1)	Cut/Damage/Destroy Crown Timber	Penalty
DCH-2002-0001	2/22/2001	FPC 67 (2)(D)	Damage or Harvest Leave Tree	No Action

Western Forest Products Ltd.			Volume: 1,541,040 m3	Inspections: 214
ERA Case No	**Incident Date**	**Contravention**	**Description**	**Determination**
DCK-2002-0062	11/15/2001	FPC 60 (1)	Construct/Modify Road w/o Survey	Penalty

Weyerhaeuser Company Ltd.			Volume: 7,162,061 m3	Inspections: 1176
ERA Case No	**Incident Date**	**Contravention**	**Description**	**Determination**
* DCL-2002-0010	7/24/2001	FPC 96 (1)	Cut/Damage/Destroy Crown Timber	Penalty
* DCL-2002-0010	7/24/2001	FPC 67 (1)	Operation Contrary to Requirements	Penalty
* DCL-2002-0010	7/24/2001	FPC 67 (2)(D)	Damage or Harvest Leave Tree	No Action
* DCL-2002-0010	7/24/2001	FPC 96 (2)	Remove Crown Timber	Penalty
* DCL-2002-0019	1/15/2002	FPC 96 (1)	Cut/Damage/Destroy Crown Timber	Penalty
DIC-22563	1/5/2004	FPC 96 (1)	Cut/Damage/Destroy Crown Timber	Violation Ticket
DQC-2004-0003	5/9/2003	FPC 96 (1)	Cut/Damage/Destroy Crown Timber	Penalty
DSI-2004-0026	8/1/2002	FPC 67	Operation Contrary to Regulations	Violation Ticket
Stop Work Orders (does not constitute a finding of contravention)				
DQC-2004-0002	5/21/2003	RDS 13 (1)	Modify/Maintain Road without Authority	Stop Work Order
DSC-22068	8/25/2003	FFPS 20 (1)	Industry Activity not to Specified Requirements	Stop Work Order

* As of September 31, 2004, these contraventions are currently under appeal

major tenure holders with no enforcement actions

521034 British Columbia Ltd.
Anspayaxw Tenure Corporation
Aspen Planers Ltd.
Balcaen Consolidated Contracting
C Ged Forest Products Ltd.
Carrier Lumber Ltd.
Chamber Of Commerce
Comar Holdings Ltd.
Coulson Forest Products Ltd.
Doman-Western Lumber Ltd.
Dwight Smith
Equis Forest Products Ltd.
Forsite Consultants Ltd.
Goose Creek Lumber Ltd.
Halray Logging Ltd.
Heartland Economics Ltd.
Husby Forest Products Ltd.
Key-Oh Wood Products Ltd.
L.B.L. Logging (2001) Ltd.
Louisiana-Pacific Canada Ltd.
McBride Community Forest Corp.
Meeker Log & Timber Ltd.
Nabesche Holdings Ltd.
Northwood Inc.
Princeton Wood Preservers Ltd.
Richmond Plywood Corporation
Sim Gan Forest Corporation
Squamish Mills Ltd.
Tahtsa Timber Ltd.
Tanizul Timber Ltd.
The Pas Lumber Company Ltd.
Triumph Timber Ltd.
Weldwood Of Canada Ltd.
William Cook
Xat'Sull Logging Ltd.

Abitibi-Consolidated Inc.
Apollo Forest Products Ltd.
Babine Forest Products Ltd.
Basghelh Holdings Ltd.
C&C Wood Products Ltd.
Cattermole Timber Ltd.
Cheslatta Forest Products Ltd.
Cooper Creek Cedar Ltd.
Creston Valley Forest Corporation
Downie Street Sawmills Ltd.
Echa-Peh Forest Resources Ltd.
Esdilagh Enterprises Ltd.
Galloway Lumber Company Ltd.
Gorman Brothers Lumber Ltd.
Hauer Brothers Lumber Ltd.
Hecate Logging Ltd.
Jackpine Forest Products Ltd.
Kispiox Forest Products Ltd.
Lakeland Mills Ltd.
LP Engineered Wood Products Ltd.
McBride Forest Industries Ltd.
Mego Wood Products (1989) Ltd.
Ndazkhot'En Forest Management Ltd.
Okanagan Indian Band
Raven Industries Ltd.
Saik'Uz First Nations
Simpcw Development Company Ltd.
T.R.C. Cedar Ltd.
Takla Track & Timber Ltd.
Teal Cedar Products Ltd.
Tolko Industries Ltd.
Tsi Del Del Enterprises Ltd.
West Fraser Mills Ltd.
Wood River Forest Inc.
Yekooche First Nation

Alvin Johnson
Ardew Wood Products Ltd.
Babine Timber Ltd.
Billyboy'S Logging & Contracting
C.R.B. Logging Company Ltd.
Celcrest Timber Ltd.
Chunzoolh Forest Products Ltd.
Corp. of the District of Mission
Doman Industries Ltd.
Dunkley Lumber Ltd.
Efp Holdings Ltd.
Forest Licence A49782 Holdings Ltd.
Gilbert Smith Forest Products Ltd.
Hagman & Son Logging Ltd.
Hayes Forest Services Ltd.
Herman Log Sales Ltd.
Kaslo & District Community
Kitwanga Lumber Company Ltd.
Lakeside Pacific Forest Products
Lytton Lumber Ltd.
Meadow Creek Cedar Ltd.
Mill & Timber Products Ltd.
Nicola Pacific Forest Products Ltd.
Orenda Logging Ltd.
Revelstoke Community Forest
Scott Paper Ltd.
Sitkana Timber Ltd.
Tahltan Band
Tamihi Logging Company Ltd.
Terminal Forest Products Ltd.
Toquaht Enterprises Ltd.
Vih Logging Ltd.
Westbank First Nation
Wynndel Box & Lumber Company Ltd.
Yun Ka Whu'Ten Holdings Ltd.

Appendix 2

enforcement actions by tenure type

enforcement actions against community forest licencees

The Community Forest Licence tenure is a new tenure type created in 2003. During the reporting period of April 1, 2003 to March 31, 2004 there were no recorded enforcement actions against licencees of this type.

enforcement actions against timber sales licencees

The following tables establish the number of enforcement actions against British Columbia Timber Sales licence holders from April 1, 2003 to March 31, 2004. The first table shows how many licencees had one (or more) enforcement actions. The second table shows what sections of the Code or the FRPA were contravened, and how many times.

Number of Licencees with 5 Enforcement Actions 1
Number of Licencees with 3 Enforcement Actions 1
Number of Licencees with 2 Enforcement Actions 3
Number of Licencees with 1 Enforcement Action 20

Contravention	Description	Number
FPC 96 (1)	Cut/Damage/Destroy Crown Timber	17
FPC 67	Operation Contrary to Regulations	4
FPC 67 (1)	Operation Contrary to Requirements	4
FFPS 12	Improper Operation of Large Engine	2
FPC 96 (2)	Remove Crown Timber	2
FFPS 10 (2)	Improper Water Delivery System at Worksite	1
FFPS 20 (1)	Industry Activity not to Specified Requirements	1
FPC 67 (2)(D)	Damage or Harvest Leave Tree	1
FPC 82	Fail to Comply with Hazard Abatement Order	1
TIM 19 (1)(B)	Fail to Dispose of Debris	1

enforcement actions against woodlot licencees

The following tables establish the number of enforcement actions against woodlot licence holders from April 1, 2003 to March 31, 2004. The first table shows how many licencees had one (or more) enforcement actions. The second table shows what sections of the Code or the FRPA were contravened, and how many times.

Number of Licencees with 11 Enforcement Actions 1
Number of Licencees with 3 Enforcement Actions 1
Number of Licencees with 2 Enforcement Actions 1
Number of Licencees with 1 Enforcement Action 13

Contravention	Description	Number
WLFM 89	Fail to Submit Required Annual Report	5
FPC 96 (1)	Cut/Damage/Destroy Crown Timber	3
FPC 67 (1)	Operation Contrary to Requirements	2
WLFM 52 (2)	Fail to Post Bridge Capacity Sign	2
FPC 58 (2)	Unauthorized Road Construction/Modification	1
FPC 62 (1)	Construct/Modify Road not to Requirements	1
FPC 82	Fail to Comply with Hazard Abatement Order	1
FPC 91	Operate w/o Fire Equipment/Plan	1
FPC 96 (2)	Remove Crown Timber	1
WLFM 30 (A)	Practices not to Operational Plan	1
WLFM 30 (C)	Practices Contrary to Specifications	1
WLFM 42 (1)(a)	Fail to Provide for User Safety During Rd Constr.	1
WLFM 42 (1)(b)	Fail to Protect Forest Resources During Rd Constr.	1
WLFM 42 (1)(d)	Fail to Protect Water Quality During Rd Constr.	1
WLFM 42 (1)(h)	Fail to Protect Structure Integrity During Rd Constr.	1
WLFM 42 (1)(k)	Fail to Minimize Sedimentation During Rd Constr.	1
WLFM 42 (2)(a)	Fail to Construct Road to Load Specifications	1
WLFM 42 (2)(b)	Fail to Minimize Road Surface Erosion	1
WLFM 42 (3)	Fail to Revegetate Exposed Soil	1
WLFM 72	Fail to Burn Slash within Time Period	1
WLFM 88 (3)	Fail to Undertake Free Growing Survey	1

Appendix 3

government non-compliance statistics

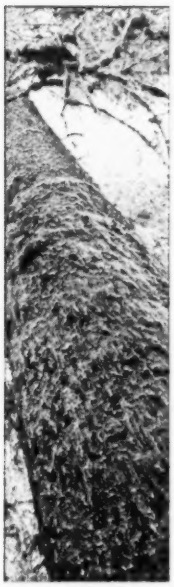
In keeping with Ministry policy, the following table reports the number of incidents of significant government non-compliance, and the nature of the contravention.

For the reporting period of April 1, 2003 to March 31, 2004 there were four incidents of significant government non-compliance:

Contravention	Client Name
Modify/Maintain Road without Authority	Timber Sales Manager, Stuart-Nechako
Improper Use of Seed and Seedlings	Timber Sales Manager, Skeena
Harvest Timber from area not in Plan	Timber Sales Manager, Skeena
Fail to Establish Free Growing Stand in Prescribed Time	Timber Sales Manager, Chinook

Appendix 4

forest district codes



Effective April 1, 2003, the Ministry of Forests has a new organizational structure, consisting of headquarters in Victoria, three regions and 29 districts.

coast forest region

DCR - Campbell River Forest District
DCK - Chilliwack Forest District
DNC - North Coast Forest District
DIC - North Island - Central Coast Forest District
DQC - Queen Charlotte Islands Forest District
DSI - South Island Forest District
DSQ - Squamish Forest District
DSC - Sunshine Coast Forest District

northern interior forest region

DFN - Fort Nelson Forest District
DJA - Fort St. James Forest District
DKM - Kalum Forest District
DMK - Mackenzie Forest District
DND - Nadina Forest District
DPC - Peace Forest District
DPG - Prince George Forest District
DSS - Skeena Stikine Forest District
DVA - Vanderhoof Forest District

southern interior forest region

DMH - 100 Mile House Forest District
DAB - Arrow Boundary Forest District
DCS - Cascades Forest District
DCC - Central Cariboo Forest District
DCH - Chilcotin Forest District
DCO - Columbia Forest District
DHW - Headwaters Forest District
DKA - Kamloops Forest District
DKL - Kootenay Lake Forest District
DOS - Okanagan Shuswap Forest District
DQU - Quesnel Forest District
DRM - Rocky Mountain Forest District

Appendix 5

forest district map